

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD DAVID SMITH,

Defendant.

Hon. Robert J. Jonker

Case No. 1:20-cr-00181

ORDER

This matter is before the Court on the government's motion for pretrial detention. The government sought defendant Richard David Smith's detention on the basis of that he poses a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a significant risk of flight, 18 U.S.C. § 3142(f)(2)(A). Because defendant is on supervised release, he bears the burden by clear and convincing evidence that he is neither a significant flight risk nor a danger to the community. The Court conducted an evidentiary hearing on December 21, 2020, at which defendant was represented by counsel.

Having considered the evidence presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant failed to meet his burden for release.

Accordingly, IT IS ORDERED that defendant is committed to the custody of the Attorney General pending his final revocation hearing and trial on the separate indictment.

DONE AND ORDERED on December 21, 2020.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge